



PATENT  
Attorney Docket No. 04329.2358-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
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Kiyoshi KAWABE ) Group Art Unit: 2182  
 )  
Application No.: 10/827,249 ) Parent Examiner: Vidwan, J. S.  
 )  
Filed: April 20, 2004 ) Confirmation No.: 2354  
 )  
For: COMPUTER SYSTEM AND )  
METHOD FOR OPERATING A )  
COMPUTER UNIT AND A )  
PERIPHERAL UNIT (amended) )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Assignee, Kabushiki Kaisha Toshiba ("Toshiba"), duly organized under the laws of Japan and having its principal place of business at 1-1 Shibaura 1-Chome, Minato-ku, Tokyo, Japan, through its attorneys represents that it is the assignee of the entire right, title and interest in and to instant application No. 10/827,249, filed April 20, 2004, for COMPUTER SYSTEM in the name of Kiyoshi Kawabe, as indicated by an assignment duly recorded in the United States Patent and Trademark Office in respect of parent application no. 09/639,637, now U.S. Patent No. 6,735,640, at Reel 011026, Frame 0149 on August 16, 2000. Assignee, through its attorneys, also represents that it is the assignee of the entire right, title, and interest in and to U.S. Patent No.

08/07/2006 HALI11 00000194 10027249  
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6,735,640 by assignment duly recorded at Reel 011026, Frame 0149 on August 16, 2000.<sup>1</sup>

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,735,640. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination

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<sup>1</sup> The undersigned attorney notes an error on the Notice of Recordation ("Notice") for parent application no. 09/639,637, in that the Notice erroneously lists application no. 09/639,639. The undersigned is therefore concurrently filing a Request for Corrected Notice of Recordation of Assignment to correct this error caused by the Patent Office.

certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

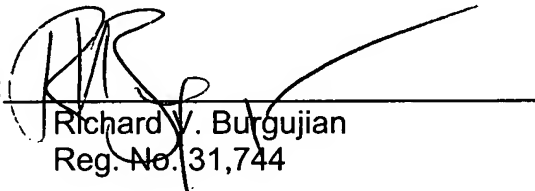
The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 4, 2006

By:

  
Richard Y. Burgujian  
Reg. No. 31,744